

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rodrigo CHUAQUI et al.

Appl. No. 09/743,825

Confirmation No. 8611

Filed: January 15, 2002

For: PB39, A GENE DYSREGULATED
IN PROSTATE CANCER, AND
USES THEREOF

Art Unit: 1642

Examiner: Minh-Tam DAVIS

Atty. Docket No. 31978-202420

Customer No.

45323

PATENT TRADEMARK OFFICE

REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.48(a), Applicant hereby requests correction of the inventorship of this application.

The desired inventorship change is the addition of Michael R. Emmert-Buck as an additional inventors on the application.

Filed herewith are the following:

- (1) An Inventor Statement Under 37 C.F.R. § 1.48(a) made by the added inventor, Michael R. Emmert-Buck who states that the error in inventorship occurred without deceptive intention on his part;
- (2) A new Declaration/Power of Attorney executed by all of the named inventors; and
- (3) The processing fee of \$130.

If a check is not enclosed or if a greater or lesser fee is required, please charge or credit

deposit account number 22-0261 accordingly and notify the undersigned.

Respectfully submitted,

Date: November 9, 2004

Nancy Axelrod

Nancy J. Axelrod, Patent Agent
Registration No. 44,014
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

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STATEMENT OF ADDED INVENTOR UNDER 37 C.F.R. § 1.48(a)

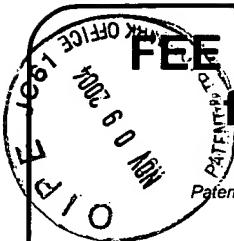
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An error in inventorship occurred with this application, namely the omission of Michael R. Emmert-Buck as a named inventor. This error in inventorship occurred without deceptive intention on my part. Accordingly, please amend the application to include me as an inventor.

Date: 11/8/04
Michael R. Emmert-Buck

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130

Complete if Known	
Application Number	09/743,825
Filing Date	January 15, 2002
First Named Inventor	Rodrigo CHUAQUI et al.
Examiner Name	Minh-Tam DAVIS
Group / Art Unit	1642
Attorney Docket No.	31978-202420

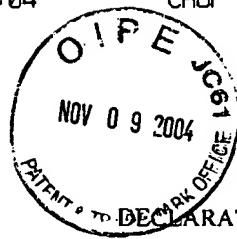
METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																																			
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <input type="text" value="22-0261"/></p> <p>Deposit Account Name <input type="text" value="Venable LLP"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>					<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2215</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2080</td><td>2255</td><td>1040</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>660</td><td>25403</td><td>330</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td></tr> <tr><td>1808</td><td>130</td><td>1808</td><td>130</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination or a design application</td></tr> <tr> <td colspan="5">Other fee (specify) _____</td> <td colspan="5"></td> </tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td colspan="5">SUBTOTAL (3) (\$ 130)</td> </tr> <tr> <td colspan="10">**or number previously paid, if greater; 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**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Nancy J. Axelrod	Registration No. Attorney/Agent)	44,014	Telephone (202) 344-4000
Signature				Date November 9, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SEND TO: Commissioner for Patents, Mail Stop Patent Application, Alexandria, VA 22313-1450.

Attorney Docket 31978-202420

DECLARATION FOR UNITED STATES PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **PB39, A GENE DYSREGULATED IN PROSTATE CANCER AND USES THEREOF** the specification of which

[] is attached hereto.

[] was filed on _____ as Application Serial No. _____, and was amended on _____ [if applicable].

[X] was filed under the Patent Cooperation Treaty on July 23, 1999 Serial No. PCT/US99/16831 the United States of America being designated, and was amended on February 3, 2004, and was amended and to be filed on November 5, 2004. The serial number of the U.S. National Stage application is 09/743,825, filed on January 15, 2002.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) of §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed

I HEREBY CLAIM the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/094,137	July 24, 1998

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Patent Application Number	PCT Patent Application Number	Patent Filing Date	Parent Patent Number

I hereby appoint the registered attorneys and agents of the National Institutes of Health, Office of Technology Transfer, and VENABLE LLP associated with the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

45323
PATENT TRADEMARK OFFICE

VENABLE is located at 575 7th Street, N.W., Washington, D.C. 20004-1601, Telephone: (202) 344-4000, Telefax: (202) 344-8300. Address all correspondence to VENABLE, Post Office Box 34385, Washington, D.C. 20043-9998.

The undersigned hereby authorizes the registered U.S. attorneys and agents identified herein to accept and follow instructions from the undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the registered U.S. attorneys and agents identified herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: _____ Date: _____
, 2004.
First/Joint Inventor: Rodrigo F. CHUAQUI, MD
Citizenship: Chilean
Residence and Post Office Address: 10630 Montrose Avenue, Apt. 203
Bethesda, Maryland 20814

Signature: _____ Date: _____
2004.
Second Inventor: Kristina A. COLE, MD, Ph.D.
Citizenship: United States of America
Residence and Post Office Address: 303 Park Ave.
Swarthmore, Pennsylvania 19081

Signature: Lance Liotta Date: 11-5-04
2004.
Third Inventor: Lance A. LIOTTA, MD, Ph.D.
Citizenship: United States of America
Residence and Post Office Address: 8601 Bradley Boulevard
Bethesda, Maryland 20817

Attorney Docket: 31978-202420

I hereby appoint the registered attorneys and agents of the National Institutes of Health, Office of Technology Transfer, and VENABLE LLP associated with the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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The undersigned hereby authorizes the registered U.S. attorneys and agents identified herein to accept and follow instructions from the undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the registered U.S. attorneys and agents identified herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: _____

, 2004.

First/Joint Inventor: Rodrigo F. CHUAQUI, MD

Citizenship: Chilean

Residence and Post Office Address: 10630 Montrose Avenue, Apt. 203
Bethesda, Maryland 20814

Date: 11-4-04

12633 Falconbridge Drive,
North Potomac, Maryland 20878

R.C.
11-4-04

Signature: _____

2004.

Second Inventor: Kristina A. COLE, MD, Ph.D.

Citizenship: United States of America

Residence and Post Office Address: 303 Park Ave.
Swarthmore, Pennsylvania 19081

Date: _____

Signature: _____

2004.

Third Inventor: Lance A. LIOTTA, MD, Ph.D.

Citizenship: United States of America

Residence and Post Office Address: 8601 Bradley Boulevard
Bethesda, Maryland 20817

Date: _____

Attorney Docket: 31978-202420

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PATENT TRADEMARK OFFICE

VENABLE is located at 575 7th Street, N.W., Washington, D.C. 20004-1601. Telephone: (202) 344-4000, Telefax: (202) 344-8300. Address all correspondence to VENABLE, Post Office Box 34385, Washington, D.C. 20043-9998.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

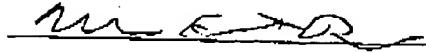
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TOTAL P.04



Application Data Sheet

Application Information

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	1642
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	PB39, A GENE DYSREGULATED IN PROSTATE CANCER, AND USES THEREOF
Attorney Docket Number::	31978-202420
Request for Early Publication?::	No
Request for Non-Publication?::	No
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

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Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
60/094,137			July 24, 1998

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